BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE P.K.SHAMSUDDIN
(RETD. JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE T.V.RAMAKRISHNAN
(RETD.JUDGE, HIGH COURT OF KERALA)

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

MACA No. 454 of 2006(D)

OP(MV) No.2514/1997 of IST ADDL.MOTOR ACCIDENTS CLAIMS TRIBUNAL, KOZHIKODE
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APPELLANTS/PETITIONERS:
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1. PRADEEPAN.C., S/O. GOPALAN,
AGED 33 YEARS, CHERUKATTU HOUSE, KIZHIKOOTTIL,
MANNUR P.O., KOZHIKODE DISTRICT. (HUSBAND OF THE DECEASED).

2. NEETHU.C., AGED 3 YEARS,
DATE OF BIRTH: 17-3-1994, D/O. PRADEEPAN.C.,
CHERUKATTU HOUSE, KIZHIKOOTTIL, MANNAR P.O.,
KOZHIKODE DISTRICT. (DAUGHTER OF THE DECEASED).

3. SOUMINI PILAKKATTU, W/O. VELAYUDHAN,
AGED 55 YEARS, CHANTHODI HOUSE, MANNUR P.O.,
KOZHIKODE DISTRICT. (MOTHER OF THE DECEASED).

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SRI.P.GOPINATH
SRI.C.S.SUNIL
SMT.C.G.PREETHA
SRI.M.PRAVEESH

RESPONDENTS/RESPONDENTS:
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1. V.K. ASSAINAR, S/O. MOIDEEN HAJI,
VALLIKKADAN HOUSE, THIRUNAVAYA, MALAPPURAM DISTRICT
(R.C. OWNER OF THE LORRY NO.KED-5689).

2. C. SAJEEV, S/O. SADANANDAN,
CHAKKIKULANGARA, CHERUVANNUR, CHERUVANNUR AMSOM
DESOM, CALICUT. (DRIVER OF THE LORRY NO.KED-5689).

3. UNITED INDIA INSURANCE COMPANY LTD.,
BRANCH OFFICE, UPHILL, MALAPPURAM. (INSURER OF THE LORRY NO.KED-5689).

BY ADV. SRI.A.KRISHNAN (FOR R1)
SRI.THOMAS MATHEW NELLIMOOTTIL

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

JUSTICE P.K.SHAMSUDDIN (RETD. JUDGE, HIGH COURT OF KERALA) &
JUSTICE T.V.RAMAKRISHNAN (RETD. JUDGE, HIGH COURT OF KERALA)

M.A.C.A. No.454 of 2006(D)

Dated this the 5th day of September, 2007

AWARD

Heard the counsel for the appellant and also representatives of the Insurance Company and their counsel. After discussion it is agreed that an additional amount of Rs.35,000/- (Rupees Thirty five thousand only) will be deposited in the Tribunal, over and above the amount already awarded by the MACT, within two months in full settlement of the claim. If the amount is not deposited within the stipulated period the amount will carry interest at 9% per annum. Out of this amount an amount of Rs.15,000/- will be deposited in a Nationalised Bank in the name of the minor appellant by way of fixed deposit until the minor attains majority. The rest will be released to the 1st petitioner.

The appeal is disposed of as settled between the parties as above.

P.K.SHAMSUDDIN
(RETD. JUDGE, HIGH COURT OF KERALA)

T.V.RAMAKRISHNAN
(RETD. JUDGE, HIGH COURT OF KERALA)

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